

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING PERMANENCY PLANNING HEARING, PRE-TERMINATION (CHILD PROTECTIVE PROCEEDINGS), PAGE 1 ORDER ____ OF ____	CASE NO. PETITION NO.
Court address		Court telephone no.

1. In the matter of name(s), alias(es), DOB

2. Date of hearing: _____ Judge/Referee: _____ Bar no.

3. Removal date: _____ (specify for each child if different)

Last permanency planning hearing date: _____ (specify for each child if different)

4. The above-named child(ren) is/are in foster care in the temporary custody of the court.

5. Notice of hearing for permanency planning was served as required by law.

THE COURT FINDS:

6. The lawyer-guardian ad litem ☐ has ☐ has not complied with the requirements of MCL 712A.17d.

7. The court has considered the case service plan and other evidence presented. The findings below are specific to this case and are based upon this hearing, and ☐ the following report(s): _____
identify report(s) and date(s) of report(s)

Specific conditions reviewed on the record as required by MCL 712A.19(6) were

a. compliance with the case service plan with respect to services provided or offered to each child and his or her parent(s), guardian, or legal custodian and whether the parent(s), guardian, or legal custodian complied with and benefited from those services.

b. compliance with the case service plan with respect to parenting time with each child and whether parenting time did not occur or was infrequent and the reasons why.

c. the extent to which the parent(s), guardian, or legal custodian complied with each provision of the case service plan, prior court orders, and any agreement between the parent(s), guardian, or legal custodian and the agency.

d. likely harm to each child if the child continued to be separated from his or her parent(s), guardian, or legal custodian.

e. likely harm to each child if the child was returned to his or her parent(s), guardian, or legal custodian.

☐ 8. Progress toward alleviating or mitigating the conditions that caused the child(ren) to be placed or to remain in temporary foster care ☐ was ☐ was not made in accordance with MCL 712A.19(7).

9. The child(ren)'s continued placement ☐ is necessary and appropriate and is meeting the child(ren)'s needs.
☐ is no longer necessary or appropriate.

☐ 10. Returning the child(ren) to the parent(s), guardian, or legal custodian ☐ would ☐ would not cause a substantial risk of harm to the child(ren)'s life, physical health, or mental well-being.

☐ 11. The child(ren) should not be returned to the parent(s), guardian, or legal custodian. The agency ☐ should ☐ should not initiate proceedings to terminate the parental rights to the child(ren).

(SEE SECOND PAGE)

Do not write below this line - For court use only

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING PERMANENCY PLANNING HEARING, PRE-TERMINATION (CHILD PROTECTIVE PROCEEDINGS), PAGE 2 ORDER ____ OF ____	CASE NO. PETITION NO.
Court address		Court telephone no.

In the matter of

12. ☐ a. Reasonable efforts ☐ were ☐ were not made to preserve and reunify the family to make it possible for the child(ren) to safely return to the child(ren)'s home. (specify reasonable efforts below, and if applicable, the reasons for return)
- ☐ 1) Reasonable efforts for reunification should be continued.
- ☐ 2) Those reasonable efforts were successful and the child(ren) should be released to

 Name of parent, guardian, or legal custodian

The reasonable efforts include: (specify)

- ☐ b. Reasonable efforts to preserve and reunify the family to make it possible for the child(ren) to safely return to the child(ren)'s home are not required based on a prior order.

13. Reasonable efforts ☐ have ☐ have not been made to finalize the court-approved permanency plan of

- ☐ a. return to the parent for the child(ren) named _____.
- ☐ b. legal guardianship for the child(ren) named _____.
- ☐ c. adoption for the child(ren) named _____.
- ☐ d. placement with a fit and willing relative for the child(ren) named _____.
- ☐ e. placement in another planned permanent living arrangement, identified as _____.

_____, due to the compelling reasons that
 (provide the name of each child and then specify the compelling reasons for another planned permanent living arrangement for each child, as appropriate, by entering the language that corresponds to the number[s] from the list on page 4)

The reasonable efforts made to finalize the court-approved permanency plan identified above include:
 (specify the permanency plan for each child and the reasonable efforts made toward finalizing that plan)

- ☐ Since adoption is the court-approved permanency plan, the Department of Human Services shall be ordered to initiate proceedings to terminate parental rights.

- ☐ 14. Parenting time with _____, even if supervised, may be harmful to the child(ren).

(SEE THIRD PAGE)

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING PERMANENCY PLANNING HEARING, PRE-TERMINATION (CHILD PROTECTIVE PROCEEDINGS), PAGE 3 ORDER ____ OF ____	CASE NO. PETITION NO.
Court address		Court telephone no.

In the matter of

IT IS ORDERED:

- ☐ 15. Jurisdiction of this court is terminated and the child(ren) is/are released to _____ .
- ☐ 16. The Department of Human Services shall initiate proceedings to terminate parental rights to the child(ren) no later than 42 days from the date of this hearing.
- ☐ 17. The child(ren) is/are continued in the temporary custody of this court and
- ☐ a. remain in placement with the Department of Human Services for care and supervision.
- ☐ b. are released to _____ .
- Name(s) of parent(s), guardian, or legal custodian
- ☐ 18. The parent(s)/guardian/legal custodian shall comply with and benefit from the case service plan. ☐ In addition,
- ☐ 19. Parenting time of _____ is
- ☐ supervised by the Department of Human Services and/or its designee.
- ☐ unsupervised at the discretion of the Department of Human Services.
- ☐ suspended while psychological evaluation or counseling is conducted, or until further order of the court.
- ☐ 20. Parenting time of _____ is
- ☐ supervised by the Department of Human Services and/or its designee.
- ☐ unsupervised at the discretion of the Department of Human Services.
- ☐ suspended while psychological evaluation or counseling is conducted, or until further order of the court.
- ☐ 21. Parenting time of _____ is
- ☐ supervised by the Department of Human Services and/or its designee.
- ☐ unsupervised at the discretion of the Department of Human Services.
- ☐ suspended while psychological evaluation or counseling is conducted, or until further order of the court.
- ☐ 22. Other: (include reimbursement provisions as required by MCL 712A.18[2], attach separate sheet if necessary)

(SEE FOURTH PAGE)

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING PERMANENCY PLANNING HEARING, PRE-TERMINATION (CHILD PROTECTIVE PROCEEDINGS), PAGE 4 ORDER ____ OF ____	CASE NO. PETITION NO.
Court address		Court telephone no.

In the matter of

23. Prior orders remain in effect except as modified by this order.

☐ 24. Review hearings shall be held as follows:

(NOTE: The review hearing shall not be delayed beyond the number of days required regardless of whether a petition to terminate parental rights or another matter is pending. MCL 712A.19a provides that the permanency planning hearing shall not be delayed beyond 12 months from the date of removal of the child and every 12 months thereafter.)

☐ dispositional review hearing _____ ☐ permanency planning hearing _____

The supervising agency shall provide documentation of progress relating to all aspects of the last court-ordered treatment plan, including copies of evaluations and therapy reports and verification of parenting time, not later than 5 business days before the scheduled hearing.

25. ☐ Notice of the next hearing has been provided as required by law. ☐ Notice of the next hearing shall be provided.

Date

Judge

The following list are examples of compelling reasons for a permanency plan other than return to parent, legal guardianship, placement with a fit and willing relative, or adoption.

1. No relative has been identified who is appropriate or available to assume the permanent custody of the child.
2. The current caregiver is not an adoptive resource.
3. The child has a significant attachment to the parent(s), and it is in the child's best interests that it be preserved through parenting time and contact.
4. Reasonable efforts to recruit an adoptive home have been unsuccessful.
5. The child does not want to be adopted and is of an age where due consideration must be given to his/her wishes.
6. It is contrary to the child's best interests to break the child's attachment to the current caregivers.
7. The current caregiver is committed to providing a permanent placement for the child.
8. The placement allows the siblings to remain together.
9. The child's special needs can best be met in this placement.
10. The child wants to remain in the current placement, which is only available as foster care.
11. The placement is preparing the child for transition into independent living (specify the services being provided to the child to assist with transition such as referral to an independent living skills program, enrollment in a vocational program, referral for a mentor, continued out-of-home placement in foster care beyond age 18 to allow the child to complete secondary school, placement in a resource that provides on-site training for independent living, and other similar services).
12. The child comes under the Indian Child Welfare Act, and the child's tribe recommends permanent placement in long-term foster care.
13. Other (specify in the findings in item 13e).